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PART II - MISCELLANEOUS NOTIFICATIONSN OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

WATER RESOURCES DEPARTMENT,
A. P. VIJAYAWADA

Sri K. KANVASRI, SUPERINTENDENT-ABSENT TO DUTY UNAUTHORISEDLY FROM 27-1-2015 ONWARDS - DISCIPLINARY ACTION INITIATED BY ISSUING CHARGES AND NOTICES TO THE SUPERINTENDENT - UNCLAIMED COVERS RETURNED - NOTICE PUBLISHED IN THE A.P.GAZETTE - SHOW CAUSE NOTICE ISSUED - COVER RETURNED BY THE POSTAL AUTHORITIES- REPRESENTATION FOR POSTING ORDERS & SUBMITTED EXPLANATION - POSTING ORDERS ISSUED - JOINING REPORT SUBMITTED ON 10-08-2018 AND IMMEDIATE ABSCONDING FROM DUTY - IMPOSING PUNISHMENT OF REMOVAL FROM SERVICE.

- Ref :1. This office Memo. No. RC/ENC/D1/14781 / 2015 , dated : 18-6-2015 .
2. This office Memo. No. RC/ENC/D1/14781 / 2015, dated: dt. 31-12-2015.
3. This office Memo. No. RC/ENC/ K (1)/15029/2009, dt. 05- 7 -2016. (A.O.C's)
4. This office Memo. No. RC/ENC/ K (1) /15029 / 2009, dt. 05- 7 -2016. (I.O.)
5. From the E.E.(Inquiry Officer), P & M Cell, Hyd. Lr.No. DEE.1/AEE/Misc., Dt. 24-8-2016.
6. This office Letter No.RC/ENC/K1/16061357 / 2016 , dt. 17-11-2016.
7. G.O.Ms.No. 127 General Administration (Services.C) Department Dt.15-09-2017.
8. This office Show Cause Notice No. RC/ENC/k1 /16061357 /2016, Dt. 26-06-2018.
9. Representation of Sri. K. Kanvasri, Superintendent dt. 12-7-2018.
10. This office Proceedings No.RC/ENC/K1 /16061357/2016 Dt. 03-08-2018.
11. This office Memo. No. RC/ENC/D1/2018 , dated : 23-08-2018.

Procdqs. No. RC/ENC/k1 /16061357/ 2016,- Sri. K. Kanvasri, Superintendent, Office of the Engineer-in-Chief (Admn.), Water Resources Department, Vijayawada was initially applied leave for 10 days from 27-1-2015 on medical grounds . After expiry of the leave, the Superintendent has not reported to duty and absent unauthorisedly as a matter of right by violated Rule - 67 of F.R.

In this office Memo. 1st & 2nd cited , the Superintendent has been directed to rejoin duty without any further correspondence in the matter, if he fails, it will be construed that he is not willing to re-join duty. But, the reply has not received from him by violated Rule - 3 (1) of Conduct Rules, 1996.

In view of his absence exceeding one year from 27-1-2015 , Article of Charges were issued to the Superintendent and directed him to submit written statement of defence vide this office Memo. 3rd cited. But, the cover returned by the postal authorities stating that the addressee is left (not here). Simultaneously, in this office Memo. 4th cited, Smt. B. Hephzi Nath, Exe.Engineer, P & M Cell, Office of the Engineer-in-Chief (Irrigation Wing), Water Resources Department, Hyderabad was appointed as Inquiry Officer to inquire into the charges framed against the said Superintendent and also requested to inquire unauthorised occupation of Government Quarter Flat No. 8-708, B-Blocks at Malakpet Colony, Hyderabad, as reported by the Estate Officer, Hyderabad in the Letter No. D/B.708/MP/335/2013, dated: 28-5-2016.

In the ref. 5th cited, the Executive Engineer & Inquiring Authority has stated that the Superintendent has been directed to appear before the Inquiry Officer on 12-08-2016 with all supportive documentary evidence, but the cover returned by the postal authorities on 9-8-2016.

The Inquiry Officer has again directed to the Superintendent to appear before him /her on 22-8-2016 vide Memo, dated : 16-8-2016 and the cover has sent to his quarters address by special messenger , whereas, the Spl. Messenger has reported that the door was locked and the memo, was pasted to his quarters door, duly enclosing a photo copy of pasted to his quarters door, but there was no response from him. The Inquiry Officer has finally stated that in absence of the Superintendent, it is not possible to conduct inquiry against the Superintendent, duly enclosing the copies of Memo's issued to the Superintendent.

As per Rule - 42 of A.P.C.S (CC&A) Rules,1991, "every order, Notice and other process made or issued under these rules and if it cannot be so served or communicated, be published in A.P. Gazette.

So, in this office Letter 6th cited, the Commissioner, Printing & Stationary, Hyderabad was requested to publish the Articles of charges issued to the Superintendent for his absence from duty in the A.P. Gazette, so as to conclude the disciplinary action against the him (i.e., Removal from service) as per the G.O.Ms. No. 129 Fin (F.R. I) Department dated: 1-6-2007. As per this office request, the Commissioner, Printing & Stationary, Hyderabad has published the charges framed against the Superintendent, in the A.P. Gazette in issue No. 46, dt. 17-11-2016.

The action of the Superintendent in absenting to duty unauthorisedly till to date exceeding three years is highly irregular , dereliction of duties and mis-conduct on his part and against the Departmental Rules. As per Rule - 5 (B) of A.P. Leave Rules, 1933 and also in accordance with G.O.Ms.No. 127 General Administration (Services.C) Department Dt. 15-09-2017 “ a Govt, servant shall be deemed to have been removed from service , if he / she is absent from duty without authorization for a period exceeding one year. Hence, the Disciplinary Authority i.e., Engineer-in-Chief (Admn.) has come to a conclusion that the Superintendent have no interest in the Government service , confirmed the long unauthorized absence and he had committed a misconduct / misbehavior by leaving his post as a matter of right for a long period without permission and liable to remove from service.

Hence, in this office Memo. 8th cited, a Show Cause Notice was issued to the Superintendent and directed him to submit his explanation to the show cause , as to why the Major Punishment of removal from service should not be imposed on him for his unauthorized absent to duty from 27-1-2015 onwards in terms of G.O.Ms.No. 127 dated: 15-9-2017 , if his explanation not received from him , it is construed that the Superintendent is not willing to work in the department and liable to remove from service as per the A.P.C.S. (CC&A) Rules, 1991. But, the cover returned by the postal authorities stating that the party left headquarter.

The matter stand thus, the Superintendent has approached this office and requested for posting orders vide his representation dt. 12-07-2018. (reference 9th cited.)

The Disciplinary Authority i.e., the Engineer-in-Chief (Admn.) has considered his request and issued posting orders to the Superintendent , duly posted him in Office of the Engineer-in-Chief (Administration) Water Resources Department, Vijayawada as per the Government Memo. No. 26017/ser. IV.2/ 2006-2 dt. 16-1 1-2006, pending finalization of disciplinary action against him for his unauthorized absence from duty w.e.f. 27-1-2015 onwards, subject to the conditions that, if he again absent to duty unauthorisedly with / without leave application after rejoining duty, the orders of Removal from service will be issued without any further Notice / Correspondence from this office based on his previous mis-conduct, mis-behaviour, unauthorized absence and committed by leaving his post for a long period without permission in accordance with G.O.Ms.No. 127 dated: 15-9-2017 vide this office Procdgs.10th cited.

The Superintendent has submitted his joining report on 10-08-2018 and immediately left from the office without any intimation to the higher authorities as a matter of right by violating Rule - 67 of F.R for not attending to duty. So, in this office Memo. dt. 23-08-2018 (vide ref.11th cited) , the Superintendent has been directed to submit his explanation within two days from the date of receipt of this office Memo, as to why the action cannot be taken against him as per rules on account of his absconding from duty. But, there is no response from him till to date.

The action of the Superintendent in absconding from duty as a matter of right is highly irregular and against the A.P.C.S (Conduct) Rules, 1964. Further, the Superintendent has abide in his undertaking that “ If he absent to duty without prior permission or sanction of leave again in future, necessary disciplinary action as mentioned in Show Cause Notice dt. 26-06-2018 be initiated against him without any intimation by the Department.”

Hence, it is construed that the Superintendent is not willing and no interest in the Government service and he had committed misconduct / misbehavior by leaving his post for a long period as a matter of right and liable to remove from service by imposing the major punishment against him as per Sub Rule - 20 (ii) of Rule - 11 of A.P.C.S. (CC&A) Rules, 1991 and also as per G.O.Ms.No. 127 General Administration (Services.C) Department dt. 15-09-2017.

Accordingly, the punishment proposed in the Show Cause Notice dt. 26-6-2018 as per his Undertaking given on 10-08-2018 and this office Memo. No. RC/ENC/D1/2018 Dt. 23-08-2018 to initiate disciplinary action against him as mentioned in the Show Cause Notice is hereby confirmed by REMOVING him from Government Service w.e.f. the date of his absence from duty i.e., from 27-1-2015 in terms of Rule - 9 of A.P.C.S. (C.C. & A) Rules, 1991 and also as per G.O.Ms.No. 127 dated: 15-9-2017.

The receipt of the orders should be acknowledged in the first instance.

Dated: 23-10-2018.

K. SRINIVAS,
Engineer-in-Chief (Admn.).

To
1. Sri. K. Kanvasri.
Superintendent,
Flat No. 1 , B, R.S.R. Towers, Lakshmipuram 3rd Lane,
Guntur - 522 006.

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